

VZCZCXYZ0017  
OO RUEHWEB

DE RUEHNR #1701/01 1100644  
ZNY SSSSS ZZH  
O 200644Z APR 06  
FM AMEMBASSY NAIROBI  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1108  
INFO RUEAWJA/DEPT OF JUSTICE WASHDC IMMEDIATE  
RUCNFB/FBI WASHDC IMMEDIATE  
RHMFISS/CDR USCENTCOM MACDILL AFB FL IMMEDIATE  
RHMFISS/CJTF HOA IMMEDIATE  
RHMFISS/USSOCOM MACDILL AFB FL IMMEDIATE

S E C R E T NAIROBI 001701

SIPDIS

SIPDIS

E.O. 12958: DECL: 04/01/2026  
TAGS: [ASEC](#) [PTER](#) [PGOV](#) [PINR](#) [PINS](#) [PREL](#) [MARR](#) [KDEM](#) [KE](#)  
SUBJECT: (C) CHALLENGES IN OUR CT RELATIONSHIP WITH KENYA

REF: A. REF A: NAIROBI 04636  
[1](#)B. REF B: NAIROBI 00343  
[1](#)C. REF C: NAIROBI 04764  
[1](#)D. REF D: NAIROBI 01500  
[1](#)E. REF E NAIROBI 00566

Classified By: Pol/C Michael J. Fitzpatrick, reasons 1.4 (b,d)

[1](#)1. (S) SUMMARY: Post faces an increasingly difficult operating environment in which to pursue counter-terrorism (CT) cooperation with the Kenyan Government (GOK). In the absence of a focused, functional government that views CT as part of its political and national interest, Post is pursuing a strategy of working with individual agencies to accomplish specific, targeted goals. Other donor nations, in particular the British, are pursuing similar strategies. Even if CT legislation is finally approved, Post is unlikely to achieve much in terms of shaping a Kenyan national CT policy during the run-up to the 2007 national elections. However, we will continue to work on various programs with the police, military, immigration, prosecution and intelligence services to increase their capacity to patrol their borders, secure their airports and pursue suspected terrorists. END SUMMARY.

-----  
GOK Not on Board with CT Effort  
-----

[1](#)2. (C) The biggest stumbling block in our CT efforts in Kenya has been achieving government buy-in at the political (ministerial) level. In 2004 and 2005, we faced the challenge of helping the GOK accept terrorism as a Kenyan problem and one it must address. Convincing the government to conduct a national public outreach strategy to sensitize the public to terrorism issues never proved fruitful. Although some progress was made in raising the importance of CT in bilateral discussions, the GOK was slow to move on any true policy issues. To date, they still have not finalized a national CT strategy.

[1](#)3. (S) Since the failure of the November constitutional referendum, the Kibaki administration has been virtually paralyzed. Distracted by corruption scandals (many involving ministerial, security-related procurements), engaged in mutual backstabbing, and desperate to set the stage for re-election in 2007, Kibaki's ministers do not view CT efforts as in their political interests at this time. Additionally, Security Minister John Michuki's proclivity to bad governance -- he publicly supported the March 2 raids on the Standard Newspaper and KTN television station -- and his focus on crime as a greater threat to national security than terrorism render our expectations for his role as a CT partner exceptionally low.

-----  
What Inter-Ministerial Cooperation?  
-----

14. (C) A secondary problem is the inability of various ministries to work together. Currently, there is little or no coordination among police, prosecutors and other relevant government ministries that deal with terrorism issues. There is a National Security Advisory Committee responsible for coordination CT efforts, but it meets too infrequently to adequately address and thwart terrorist threats. This was evident immediately after October 2004's explosion at Wilson Airport. The GOK's uncoordinated response supplied further evidence of a stove-piped approach to national emergencies.

15. (C) This problem is not as evident at the working level. When we brought police and prosecutors together during the initial phase of Joint Terrorism Task Force (JTTF) training, they worked well as a team. The same proved true in the recent cocaine verification/destruction exercise; once the policy debate was over, and an interagency team assembled, they worked extremely well together. Our Coastal Security program is yet another good example, where we have brought Kenya Navy, Kenya Police, and Kenya Wildlife Service together in joint maritime operation training. However, when it comes to larger strategic pieces, such as a JTTF, getting the senior officials to work together has proven next to impossible.

-----  
Where Does That Leave Us?  
-----

16. (C) These conditions make it increasingly difficult to engage in constructive and action-oriented dialogue on matters of national CT strategy. Particularly in the run-up to the 2007 elections, objectives such as passing CT legislation, incorporating a viable CT strategy into Kenya's national security plan, or facilitating coordination within the GOK to effectively stop a CT threat, will likely not garner much interest. The new terrorism bill, although redrafted and ready for presentation to Parliament, will not likely be approved as it is not considered an election-winner. (NOTE: The 2003 Suppression of Terrorism Bill came under fire from human rights groups and Muslim organizations. It was withdrawn, and the GOK has promised for three years now to redraft a bill incorporating civil societies, concerns. The new bill has yet to be made public. END NOTE.) In fact, there was no mention of CT issues during the re-opening of Parliament on March 21. UNDP has picked up the cause of helping Kenya pass CT legislation (ref A), but their program has yet to make progress.

17. (C) Our CT assistance programs that required large GOK buy-in have, for the most part, stalled. The JTTF is the prime example. The U.S. helped Kenya set up the JTTF in 2004-5 to improve police and prosecutors, ability to cooperate on CT issues. (NOTE: the JTTF's utility has just been proven, as its work led directly to Kenya's first-ever terrorism-related conviction -- this April's conviction of terror suspect Omar Said Omar on weapons charges (Ref C.). END NOTE) The GOK disbanded the unit shortly after formal training concluded without explanation. Foreign Minister Rafael Tuju told Ambassador in January it died for ego and bureaucratic reasons, not policy differences, and that he wanted to revive the JTTF. But, again, nothing has moved since. Whatever the reason behind the failure, the JTTF, which requires buy-in from several top government officials, is unlikely to be resuscitated against a backdrop of political posturing ahead of the 2007 elections. Simply put, it just is not high enough on ministers' lists of priorities at this time. Our efforts to refocus CT investigative capacity-building directly to the Anti-Terrorism Police Unit (ATPU) is proving to be more successful than the larger JTTF concept.

18. (S) Our border operations proposal (ref B) is another example of the government's sluggishness when it comes to

planning and carrying out security programs. The Ambassador briefed the plan to President Kibaki January 25. Kibaki showed great enthusiasm and said he would make it happen. Defense Minister Karume likewise committed to it January 31, and directed his staff to begin the necessary planning. Yet, the Kenyan Department of Defense Chief of Staff refused the plan, and it has since died. The whole fiasco brought into question the true extent of Kibaki,s (and Karume's) authority and ability to make things happen.

¶9. (C) Despite all this, Post continues to push forward with existing CT programs, albeit on a more localized scale. Our British counterparts are employing the same strategy. They have drawn down their CT assistance programs in Kenya and are focusing solely on projects with individual authorities. Their main efforts will focus on border security programs with the Administration Police and continued aviation security programs. Our programs are following a similar vein, with added emphasis to securing the coastal borders.

¶10. (S) Our most successful efforts have been specific programs with elements of the police or military, and our cooperation with the civilian and military intelligence services. The strongest example is the ongoing Maritime Operations (MAROPS) training conducted by U.S. Navy Special Warfare personnel out of Manda Bay Navy Base. Eleven classes have undergone the training since 2004. Some classes have even incorporated the police, Administration police, and Kenya Wildlife Service (KWS). The Anti Terrorism Assistance (ATA) coastal security program centered on the Police could prove to be another strong program, pending signature of an MOI from the Permanent Secretary in the Ministry of Security (ref C). The program will provide boats and training to civil authorities on the Coast with the ultimate goal of conducting joint maritime patrols. Similar, and a complement, to our Navy MAROPS program, this targeted effort to secure the borders has the potential to yield real results.

¶11. (C) Several other localized programs continue to produce some positive results. TIP/PISCES, a computerized tracking system at international airports, has been another USG success in Kenya. The Government increased its usage of the system to a national average of 95 percent in 2005. The stop-list resulted in several suspect turnovers last year. The U.S. Federal Aviation Authority has had some success in improving aviation security, but consistent enforcement of security procedures and planning remains a challenge. The FBI has provided training courses, including the current initiative to assist in automating the Kenyan fingerprint system with the goal to share fingerprints of suspected terrorists. The FBI also has a good working relationship with members of the Criminal Investigation Department,s (CID) Criminal Intelligence Unit.

-----  
COMMENT  
-----

¶12. (C) In the current political climate, we will not gain much traction pushing policy objectives that are not directly seen as election-winning issues. Unfortunately, and despite repeated terrorist attacks in Kenya, CT is not one of those issues. However, we have made some positive in-roads with certain agencies, particularly the Kenyan Navy, Intelligence service, Administration Police, ATPU and CID. We will continue to focus our efforts on increasing Kenya,s capability to secure its borders, while keeping our eyes open for opportunities to engage on broader CT objectives.

BELLAMY